

nesium sulphate, and 31 grains, or 2 grams, of magnesium sulphate; that 20 cubic centimeters of the article contained not more than 1.59 grams of magnesium sulphate, equivalent to 24.5 grains of magnesium sulphate; that 20 cubic centimeters of the said article contained not more than 7.94 percent of magnesium sulphate; that the strength and purity of the article fell below the professed standard and quality under which it was sold.

On April 13, 1936, a plea of guilty having been entered, a fine of \$250 was imposed, but execution of the sentence to the extent of \$200 was suspended for 3 years, conditioned that defendant comply with all food and drug laws.

W. R. GREGG, *Acting Secretary of Agriculture.*

25824. Adulteration and misbranding of tincture of aconite tablets. U. S. v. The Upjohn Co., a corporation. Plea of nolo contendere. Fine, \$200. (F. & D. no. 35946. Sample no. 32141-B.)

The label of this article misrepresented its potency.

On October 16, 1935, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Upjohn Co., a corporation, Kalamazoo, Mich., alleging shipment in violation of the Food and Drugs Act as amended, on or about April 3, 1935, from Kalamazoo, Mich., to Chicago, Ill., of a number of bottles of aconite tincture tablets which were adulterated and misbranded. The article was labeled in part: (Bottle) "100 Tablets Aconite Tincture Each tablet represents 3½ minims Poison The Upjohn Company Kalamazoo, Mich."

Adulteration of the tablets was charged in that each of them was represented to possess a potency equivalent to 3½ minims of tincture of aconite; that each possessed a potency of not more than 1.45 minims of tincture of aconite; that the strength and purity of the tablets fell below the professed standard and quality under which they were sold.

Misbranding of the article was charged in that the labels on the bottle containing the tablets bore the statements, to wit, "Tablets Aconite Tincture" and "Each tablet represents 3½ minims"; that the said statements represented that each of said tablets possessed a potency equivalent to 3½ minims of tincture of aconite; that each of said tablets possessed a lesser degree of such potency; and that the aforesaid statements were false and misleading.

On December 2, 1935, a plea of nolo contendere having been entered, a fine of \$200 was imposed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25825. Misbranding of Voxol. U. S. v. John H. Vernet, trading as Voxol Laboratories. Plea of guilty. Fine, \$50 and costs. (F. & D. no. 35947. Sample no. 261-B.)

False and fraudulent therapeutic and curative claims were made for this article.

On October 2, 1935, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against John H. Vernet, trading as Voxol Laboratories, Oak Park, Ill., alleging shipment by him in violation of the Food and Drugs Act as amended on or about September 20, 1934, from Oak Park, Ill., to Denver, Colo., of a bottle of Voxol which was misbranded. The article was labeled in part: (Bottle) "Voxol Inhalant * * * Voxol Laboratories Oak Park Illinois."

Analysis showed that the article consisted essentially of a fixed oil containing volatile oils, including oil of eucalyptus and menthol.

Misbranding of the article was charged in that the label attached to the bottle bore the statements, to wit, "For immediate relief of Sinus, Asthma, Catarrh, Influenza, Hayfever, Colds, Pneumonia, Bronchitis, Croup, Diphtheria, Earache, Sore Throat, and all respiratory ailments when used with the Voxolator; and For all head disorders, inhale and exhale thru the nose, 10 to 15 minutes. For all Chest and Throat Disorders inhale and exhale thru the nose for 5 minutes and then thru the mouth for 10 minutes. For all severe cases use 2 caps full of Voxol Inhalant"; that the said statements were representations regarding the curative or therapeutic effects of the article; that the said statements falsely and fraudulently represented that the article was effective, among other things, for the immediate relief of sinus, asthma, catarrh, influenza, hay fever, pneumonia, bronchitis, croup, diphtheria, earache, sore throat, and all respiratory ailments when used with the Voxolator; effective as a treatment, remedy, and cure for all head disorders when inhaled and exhaled

through the nose from 10 to 15 minutes; effective as a treatment, remedy, and cure for all chest and throat disorders when inhaled and exhaled through the nose for 5 minutes then inhaled and exhaled through the mouth for 10 minutes; and effective as a treatment, remedy, and cure for all severe cases of head disorders and all chest and throat disorders by using two caps full.

On April 20, 1936, a plea of guilty having been entered, a fine of \$50 and costs was imposed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25826. Misbranding of Red Cross Brand Periodic Pills and S. P. Snyder's Tablets Prescription No. XX. U. S. v. Ernest E. Schneider trading as Snyder Products Co. Plea of guilty. Fine, \$25 imposed and costs awarded against the defendant. (F. & D. no. 35950. Sample nos. 2404-B, 65478-A, 65479-A.)

False and fraudulent curative and therapeutic claims were made for these articles and their labels bore erroneous statements as to their harmful ingredients. The Periodic Pills were also falsely represented to be a pharmacopoeial product.

On October 17, 1935, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Ernest E. Schneider trading as Snyder Products Co., Chicago, Ill., alleging shipments by him in violation of the Food and Drugs Act as amended, on or about June 4 and 13 and July 11, 1934, from Chicago, Ill., to Royal Oak, Mich., of quantities of Red Cross Brand Periodic Pills and S. P. Snyder's Tablets Prescription No. XX which were misbranded. The articles were labeled in part: (Box) "Red Cross brand Periodic Pills a periodic Regulator Guaranteed to be made according to U. S. P. Standards Red Cross Medicine Co. Chicago, Illinois"; (box) "S. P. Snyder's Tablets Prescription No. XX * * * Made of U. S. P. Standard Ingredients Snyder Products Co. Chicago, Illinois."

Analyses showed that the periodic pills contained iron sulphate, plant material including a laxative drug, and a preparation of ergot, coated with sugar and calcium carbonate; that the S. P. Snyder's Tablets contained iron sulphate, plant material including a laxative drug, and a minute amount of alkaloid, coated with sugar and calcium carbonate.

The periodic pills were alleged to be misbranded (a) in that the box bore and a circular enclosed in the box contained false and fraudulent representations that the article was effective, among other things, as a regulator for menstrual periods, to correct obstinate and abnormal cases of delayed menstruation, and to establish a normal flow when the bowels are functioning normally; (b) in that the statement, to wit, "harmlessly", borne on the circular enclosed in the box, and the statement, to wit, "Guaranteed to be made according to U. S. P. Standards", borne on the said box, were false and misleading, in that the said article could not be administered harmlessly since it contained harmful ingredients, and that there was no standard for the article prescribed in the United States Pharmacopoeia.

The S. P. Snyder's Tablets were alleged to be misbranded (a) in that there was enclosed in the box a circular which contained false and fraudulent statements that the article was effective, among other things, to correct obstinate and abnormal cases of delayed menstruation, and to establish a normal flow when the bowels are functioning normally; (b) in that the statement, to wit, "harmlessly", borne on the circular aforesaid was false and misleading, in that the article could not be harmlessly administered and in that it contained harmful ingredients.

On January 16, 1936, a plea of guilty having been entered, a fine of \$25 was imposed and costs were awarded against the defendant.

W. R. GREGG, *Acting Secretary of Agriculture.*

25827. Misbranding of Hygena. U. S. v. Lee W. Wiggins trading as Hygena Laboratories. Plea of nolo contendere. Fine, \$50. (F. & D. no. 35951. Sample no. 6030-B.)

Unwarranted curative and therapeutic claims were made for this article and its label bore the erroneous statement that it was effective as an antiseptic.

On October 30, 1935, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Lee W. Wiggins trading as Hygena Laboratories, Atlanta, Ga., alleging shipment by him in violation of the Food and Drugs Act as amended, on or about November 17, 1934, from Atlanta, Ga.,